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SAWYER LAW GROUP, LLP
PO BOX 51458
PAL ALTO, CA 94303

| EXAMINER | |
|---|---|
| DESIRE, GREGORY M | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2625 | |

DATE MAILED: 06/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 09/823,920 | STEINBERG, ERAN | |
| | Examiner | Art Unit | |
| | Gregory M. Desire | 2625 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☐ Responsive to communication(s) filed on *17 March 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-40* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-40* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *3/17/05*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/17/05 has been entered.

### *Claim Objections*

2. Claim 8 is objected to because of the following informalities: Regarding claim 8 line 3 it appears the word "that" should be instead the word "than". Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 13 recites the limitation "said computer" in line 1. There is insufficient antecedent basis for this limitation in the claim.

A computer limitation is recited in claim 12. However, claim 13 depends on claim 10 which depend on claim 4 which depend on claim 1. These preceding claims do not

recite any computer feature. Therefore "said computer" lacks antecedent. It appears claim would have proper antecedent, if dependent on claim 12. However, for examining purposes, the examiner will treat the claim 13 as depending upon claim 10 but using "a computer" instead of "said computer".

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1-4, 6-7, 10, 13-17 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over McIntyre et al (6,587,839) in view of Schaeffer et al (6,701,302)

Regarding claim 1 McIntyre discloses,

Developing photographic film to produce a developed film (note col. 6 lines 9-10, lines cite processed film in film processing section);

Scanning said developed film to create digital image data (note col. 6 lines 10-11, processed film is scanned at scanning section to produce a digital image file); and

Transmitting said digital image through a telephone network visually and displaying an image (note col. 6 lines 16-17 and lines 30-33, attachment/visual display including an image is transmitted by email via internet (telephone network)) and transmitting to a first portable device a message notifying a consumer that a print of the image can be ordered or the print is ready for pick-up (note col. 6 lines 25-27, retailer

sends a message to a consumer via email with attachment notifying image is ready for pickup).

McIntyre does not disclose expressly a wireless portable device that receives said transmitted email. Schaeffer et al discloses receiving a message by email on a cellular phone (note col. 2 line 50-55). McIntyre and Schaeffer are combinable because they are from the same field of endeavor. Therefore, it would have obvious to a person of ordinary skill in the art at the time of the invention was made to receive an email on a wireless portable device such as cellular phone as disclosed in Schaeffer in the system of McIntyre. Receiving email messages immediately (note Schaeffer col. 3 lines 9-10) would have been a highly desirable feature when prints are being ordered due to human anticipation and Schaeffer recognizes receiving a message and viewing email straight away would be expected when the cellular phone of Schaeffer is included in McIntyre.

Regarding claim 2 McIntyre and Schaeffer discloses,

Displaying a visual image of said digital image data on said visual display screen (note Schaeffer col. 3 lines 34-35, the wireless portable device (cellular phone) is equipped with a display screen for viewing image data).

Regarding claim 3 McIntyre and Schaeffer discloses,

Placing an order for a print corresponding to an image view on said device visual display screen (note McIntyre the primary reference, produces image (prints) to be

visually displayed col. 7 lines 61-67 lines cite a placement of orders based on customers selection from a display screen).

Regarding claim 4 McIntyre and Schaeffer discloses,

Wherein said device is a cell phone (note Schaeffer col. 2 lines 50-55 wireless portable device for use is a cellular phone).

Regarding claim 6 McIntyre and Schaeffer discloses,

McIntyre discloses sending digital prints to cell phone. It is well known cell phone images are low-resolution images. However, McIntyre does not disclose expressly that digital prints transmitted are low-resolution image data. Schaeffer discloses receiving print index, thumbnails that are low-resolution images (note Schaeffer col. 3 lines 19-22). At the time of the invention, it would have obvious to a person of ordinary skill in the art to send low- resolution image to the cell phone in the system of McIntyre as disclosed by Schaeffer. Producing print index supplied with photographic prints (note Schaeffer col. 3 line 22) would have been highly desirable feature in photo processing due to its plurality of images for selection and Schaeffer recognizes that producing print index would be expected when low-resolution images of Schaeffer is included in McIntyre.

Regarding claim 7 McIntyre and Schaeffer discloses,

McIntyre and Schaeffer in the preferred embodiment do not disclose expressly wherein said digital image data is high-resolution image data. However a modified form of McIntyre discloses digital image is high-resolution data (note col. 8 lines 46-47, consumer has the option to receive high resolution image). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to receive high-resolution image data in the system of McIntyre and Schaeffer as disclosed in McIntyre modified. A customer printing an image from home (note col. 8 lines 48-49), would have been highly desirable feature in the field of photography due to its clarity functions and McIntyre modified recognizes printing an image from home would be expected when the customer receives high-resolution image of McIntyre modified is substituted in McIntyre and Schaeffer.

Regarding claim 10 McIntyre and Schaeffer discloses,

Digitally processing said digital image data subsequent to reception by said cell phone (note McIntyre fig. 1 block 30 and 20, and col. 4 lines 1-5, 18-28 and 44-49, photo processing lab process image data, this is all done before digital image is transmitted within photo processing lab scanned image (34) is stored in computer (46) for further processing).

Regarding claims 13 McIntyre and Schaeffer discloses,

Wherein said computer may have programmed therein billing information of said customer (note McIntyre col. 4 lines 55-57 and col. 5 lines 8-12, 24-25, customer credit

card information is provided and billing is done by a computer, thus computer may have programmed billing information of said customer).

Regarding claim 14 McIntyre and Schaeffer discloses,

Placing an order for a print corresponding to an image received on said cell phone visual display (note Schaeffer, col. 3 lines 13-15, 27-28, col. 4 lines 5-10 and 39-40, user instructs image to print based on his instruction based on viewed image from the cell phone).

Regarding claim 15 McIntyre and Schaeffer discloses,

Automatically adding a fee for said prints to a phone account of said cell phone user (note Schaeffer col. 4 line 39-43, user making an order is charged a fee which is put on a the telephone bill).

Regarding claim 16 McIntyre and Schaeffer discloses,

Placing an interactive display on said visual display screen allowing a user to interact with said display (note Schaeffer col. 3 lines 27-30 and col. 4 lines 65-67, the applicant is broad on how an interactive display is placed on a screen, the examiner interpret a cell phone interacting with the user to read on the claims, thus, a user reading, viewing and sending messages from the information on the display screen, as the user interacting with a display).

Regarding claim 17 McIntyre and Schaeffer discloses,

Wherein said interactive display provides said user with the ability to order prints of said image via said cellular phone (note Schaeffer, col. 3 lines 13-15, 27-28, col. 4 lines 5-10 and 39-40, user instructs (orders) image to print based on his interaction with display functions from the cell phone).

Regarding claim 20 McIntyre and Schaeffer discloses,

Interactive display allows a user to place a textual note on an image (note Schaeffer col. 3.lines 60-62, inserts a written message in the image file showing an interactive display).

7. Claims 21-24, 26-27, 30, 34-37 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over McIntyre, Schaeffer and Helferich.

Regarding claim 21 McIntyre discloses,

Uploading first digital image data to photographic service facility (note col. 4 lines 4-5 and col. 7 lines 58-64, uploading images are forward to photographic service facility (photofinishing lab 30));

Transmitting second digital image data through a telephone network (note McIntyre fig. 1 col. 4 lines 4-14, lines 26-30, 46-50, col. 7 lines 59-60 and col. 8 lines 45-50), photofinishing lab processes digital images, processed digital image is stored and transmitted through the internet, examiner interpret process image stored by photofinishing lab 30 as a second image) to a device capable of communicating and

equipped with a visual display screen for visual display of an image (note col. 7 lines 53-56 and 61-62 cameras digital image goes is transmitted through internet (telephone network) for viewing by a display screen); and transmitting to said device a message notifying a consumer that a print of the image can be ordered or the print is ready for pickup (note col. 8 lines 25-28 and fig. 7a shows transmitted message notifying a consumer that a print is ready for pickup)

McIntyre does not disclose expressly a wireless portable device that receives said transmitted message. Schaeffer et al discloses receiving a message on a wireless portable device (note col. 2 line 50-55, lines cites wireless device as portable device or cell phones). McIntyre and Schaeffer are combinable because they are from the same field of endeavor. Therefore, it would have obvious to a person of ordinary skill in the art at the time of the invention was made to receive a message on a wireless portable device as disclosed in Schaeffer in system of McIntyre. Receiving messages immediately (note Schaeffer col. 3 lines 9-10) would have been a desirable feature when prints are being ordered due to human anticipation and Schaeffer recognizes receiving a message and viewing straight away would be expected when the cellular phone of Schaeffer is included in McIntyre

Regarding claim 22 McIntyre and Schaeffer discloses,

Wherein said second image data is a copy of said first image (note McIntyre fig. 1, 30 and col. 4 lines 24-28, uploaded forwarded to photofinishing lab is processed and

stored, examiner interprets the stored processed camera digital image a copy of the image from the camera).

Regarding claim 23 McIntyre and Schaeffer discloses,

Displaying a visual image of said second digital image on said visual display screen (note Schaeffer col. 3 lines 34-35, the wireless portable device is equipped with a display screen for viewing image data).

Regarding claim 24 McIntyre discloses,

Placing an order for a print corresponding to an image view on a device visual display screen (note McIntyre, produces image (prints) to be visually displayed col. 7 lines 61-67 lines cite a placement of orders based on customers selection from a display screen).

McIntyre does not disclose expressly a wherein in said device is a wireless portable device. Schaeffer et al discloses receiving a message on a wireless portable device (note col. 2 line 50-55, lines cites wireless device as portable device or cell phones). McIntyre and Schaeffer are combinable because they are from the same field of endeavor. Therefore, it would have obvious to a person of ordinary skill in the art at the time of the invention was made place an order on a wireless portable device as disclosed in Schaeffer in system of McIntyre. Placing orders immediately (note Schaeffer col. 3 lines 9-10) would have been a desirable feature when prints are being

ordered due to human anticipation and Schaeffer recognizes placing an order straight away would be expected when the portable device of Schaeffer is included in McIntyre

Regarding claim 26 McIntyre and Schaeffer discloses,

McIntyre discloses digital image. It is well known cell phone images are low-resolution images. However, McIntyre does not disclose expressly that digital prints transmitted are low-resolution image data. Schaeffer discloses receive print index, thumbnails that are low-resolution images (note Schaeffer col. 3 lines 19-22). At the time of the invention, it would have obvious to a person of ordinary skill in the art to send low- resolution image to the cell phone in the system of McIntyre as disclosed by Schaeffer. Producing print index supplied with photographic prints (note Schaeffer col. 3 line 22) would have been highly desirable feature in photo processing due to its plurality of images for selection and Schaeffer recognizes that producing print index would be expected when low-resolution images of Schaeffer is included in McIntyre.

Regarding claim 27 McIntyre and Schaeffer discloses,

McIntyre and Schaeffer in the preferred embodiment do not disclose expressly wherein said digital image data is high-resolution image data. However a modified form of McIntyre discloses digital image is high-resolution data (note col. 8 lines 46-47, consumer has the option to receive high resolution image). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to receive high-resolution image data in the system of McIntyre and Schaeffer as disclosed in McIntyre

modified. A customer printing an image from home (note col. 8 lines 48-49), would have been highly desirable feature in the field of photography due to its clarity functions and McIntyre modified recognizes printing an image from home would be expected when the customer receives high-resolution image of McIntyre modified is substituted in McIntyre and Schaeffer.

Regarding claim 30 McIntyre and Schaeffer discloses,

Digitally processing said second digital image data subsequent to reception by said cell phone (note McIntyre fig. 1 block 30 and 20, and col. 4 lines 1-5, 18-28 and 44-49, photo processing lab process image data, this is all done before digital image is transmitted within photo processing lab scanned image (34) is stored in computer (46) for further processing).

Regarding claim 34 McIntyre and Schaeffer discloses,

Wherein said device is a cell phone (note Schaeffer col. 2 lines 50-55 wireless portable device for use is a cellular phone).

Regarding claim 35 McIntyre and Schaeffer discloses,

Automatically adding a fee for said prints to a phone account of said cell phone user (note Schaeffer col. 4 line 39-43, user making an order is charged a fee which is put on a the telephone bill).

Regarding claim 36 McIntyre and Schaeffer discloses,

Placing an interactive display on said visual display screen allowing a user to interact with said display (note Schaeffer col. 3 lines 27-30 and col. 4 lines 65-67, the applicant is broad on how an interactive display is placed on a screen, the examiner interpret a cell phone interacting with the user to read on the claims, thus, a user reading, viewing and sending messages from the information on the display screen, as the user interacting with a display).

Regarding claim 37 McIntyre and Schaeffer discloses,

Wherein said interactive display provides said user with the ability to order prints of said image via said cellular phone (note Schaeffer, col. 3 lines 13-15, 27-28, col. 4 lines 5-10 and 39-40, user instructs (orders) image to print based on his interaction with display functions from the cell phone).

Regarding claim 40 McIntyre and Schaeffer discloses,

Interactive display allows a user to place a textual note on an image (note Schaeffer col. 3 lines 60-62, inserts a written message in the image file showing an interactive display).

8. Claims 5, 9, 25 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over McIntyre and Schaeffer in further view of Helferich.

Regarding claim 5 McIntyre and Schaeffer does not disclose expressly forwarding said digital image from a first user of said first cell phone to a second user of

a second cell phone. Helferich discloses forwarding message and attachment (data) to from a cellular phone to another cellular phone (note col. 8 lines 1-8 and 13-16). McIntyre, Schaeffer and Helferich are combinable because they are from analogous art. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include mobile to mobile messaging in the system of McIntyre and Schaeffer. Two way emailing with various addresses would have been a highly desirable feature in the communication art due to its path functions and Helferich recognizes that two messaging to various addresses would be expected when mobile to mobile messaging is included in McIntyre and Schaeffer.

Regarding claim 9 McIntyre and Schaeffer do not disclose expressly forwarding said digital image from a first user of said first cell phone to a network computer. Helferich discloses forwarding message and attachment (data) to from a cellular phone to a network computer (note col. 8 lines 1-8 and 13-15, examiner interprets a computer with internet access as a network computer). McIntyre, Schaeffer and Helferich are combinable because they are from analogous art. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include mobile to computer messaging in the system of McIntyre and Schaeffer. Two way emailing with various addresses would have been a highly desirable feature in the communication art due to its path functions and Helferich recognizes that two way messaging to various addresses would be expected when mobile to computer messaging is included in McIntyre and Schaeffer.

Regarding claim 25 McIntyre and Schaeffer do not disclose expressly forwarding said second digital image from a first user of said first device to a second user of a second device. Helferich discloses forwarding (data) from a cellular phone to another cellular phone (note col. 8 lines 1-8 and 13-16). McIntyre, Schaeffer and Helferich are combinable because they are from analogous art. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include mobile device to mobile device messaging in the system of McIntyre and Schaeffer. Two way emailing, with various addresses would have been a highly desirable feature in the communication art due to its path functions and Helferich recognizes that two way messaging to various addresses would be expected when mobile to mobile messaging is included in McIntyre and Schaeffer.

Regarding claim 29 McIntyre and Schaeffer do not disclose expressly forwarding said second digital image from a first user of said first cell phone to a network computer. Helferich discloses forwarding message and attachment (data) to from a portable device to a network computer (note col. 8 lines 1-8 and 13-15, examiner interprets a computer with internet access as a network computer). McIntyre, Schaeffer and Helferich are combinable because they are from analogous art. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include mobile to computer messaging in the system of McIntyre and Schaeffer. Two way emailing with various addresses would have been a highly desirable feature in the communication art due to

its path functions and Helferich recognizes that two way messaging to various addresses would be expected when mobile to computer messaging is included in McIntyre and Schaeffer.

9. Claims 8,11-12, 28 and 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over McIntyre and Schaeffer in further view of Kung et al (6,570583).

Regarding claim 8 McIntyre modified and Schaeffer discloses viewing high-resolution image on a visual display (cell-phone display). However, McIntyre modified and Schaeffer does not disclose expressly zooming displayed image on a cell phone. Kung discloses zooming a displayed image on a cell phone (note fig. 4 block 48, zoom control and col. 3 line 50-52 and col. 4 lines 8-10, cell phone zoom in and zoom out). McIntyre modified, Schaeffer and Kung are combinable because they are from analogous art. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include a zoom control in the system of McIntyre modified and Schaeffer. Providing a user a choice to see more information or view an image with more detail in a display (note col. 2 lines 15-20) would be highly desirable feature in a wireless device display due to its control functions and Kung recognizes that provide a user with visual choice would be expected when the zoom control of Kung is included in McIntyre modified and Schaeffer.

Regarding claim 11 McIntyre and Schaeffer discloses,

Cell phone display wherein the selection in the display automatically causes said first cell phone to be communicatively connected with service facility (note Schaeffer col. 3 lines 27-29 and col. 4 lines 64-67, shows a communication link between cell phone and laboratory facilitated by interaction with cell phone display screen, cell phone sending order instruction causes an automatic communication with service facility), wherein facility performs said developing and said scanning and said transmitting (note Schaeffer processing lab col. 2 lines 14-18 and 24-32, performs developing and scanning and sends to server for transmitting).

McIntyre and Schaeffer does not disclose expressly cell phone displaying an icon for selection. However, Chung discloses iconic information for selection (note fig. 4 block 33 and col. 3 line 3). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to use cellular phone with iconic features in place of a generic cell phone of McIntyre and Schaeffer. Informing a user which number will be called (note col. 3 lines 25-26) would have been a highly desirable feature when communicating using a cell phone and Chung recognizes informing the user which number will be called would be expected when the icon information for selection of Chung is substituted for the generic cell phone.

Regarding claim 12 McIntyre, Schaeffer and Chung discloses,

An instruction is sent to a computer at said service facility that a customer's job data be placed on a computer monitor screen (note McIntyre, col. 8 lines 14-30

examiner interprets the retailer as service facility, instructions are sent to the computer or the retailer (22) placing customer's job data on computer monitor screen).

Regarding claim 28 McIntyre modified and Schaeffer discloses,

Viewing high-resolution image on a visual display (cell-phone display). However, McIntyre modified and Schaeffer does not disclose expressly zooming displayed image on a cell phone. Kung discloses zooming a displayed image on a cell phone (note fig. 4 block 48, zoom control and col. 3 line 50-52 and col. 4 lines 8-10, cell phone zoom in and zoom out). McIntyre modified, Schaeffer and Kung are combinable because they are from analogous art. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include a zoom control in the system of McIntyre modified and Schaeffer. Providing a user a choice to see more information or view an image with more detail in a display (note col. 2 lines 15-20) would be highly desirable feature in a wireless device display due to its control functions and Kung recognizes that provide a user with visual choice would be expected when the zoom control of Kung is included in McIntyre modified and Schaeffer.

Regarding claim 31 McIntyre and Schaeffer discloses,

Cell phone display wherein the selection in the first device display automatically causes said first cell phone to be communicatively connected with service facility (note Schaeffer col. 3 lines 27-29 and col. 4 lines 64-67, shows a communication link between cell phone and laboratory facilitated by interaction with cell phone display screen, cell

phone sending order instruction causes an automatic communication with service facility), wherein facility performs said developing and said scanning and said transmitting (note Schaeffer processing lab col. 2 lines 14-18 and 24-32, performs developing and scanning and sends to server for transmitting).

McIntyre and Schaeffer do not disclose expressly first device display, displaying an icon for selection. However, Chung discloses iconic information for selection (note fig. 4 block 33 and col. 3 line 3). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to use cellular phone with iconic features in place of a generic cell phone of McIntyre and Schaeffer. Informing a user which number will be called (note col. 3 lines 25-26) would have been a highly desirable feature when communicating using a cell phone and Chung recognizes informing the user which number will be called would be expected when the icon information for selection of Chung is substituted for the generic cell phone.

Regarding claim 32 McIntyre, Schaeffer and Chung discloses,

An instruction is sent to a computer at said service facility that a customer's job data be placed on a computer monitor screen (note McIntyre, col. 8 lines 14-30 examiner interprets the retailer as service facility, instructions are sent to the computer or the retailer (22) placing customer's job data on computer monitor screen).

Regarding claims 33 McIntyre, Schaeffer and Chung discloses,

Wherein said computer may have programmed therein billing information of said customer (note McIntyre col. 4 lines 55-57 and col. 5 lines 8-12, 24-25, customer credit card information is provided and billing is done by a computer, thus computer may have programmed billing information of said customer).

10. Claims 18-19 and 38-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over McIntyre and Schaeffer in further view of Komiyama (6,690,955).

Regarding claim 18 McIntyre and Schaeffer discloses a cell phone with an interactive display. McIntyre and Schaeffer do not disclose expressly, display allowing a user adjust an image color. Komiyama discloses wherein said interactive display allows a user to adjust an image color (note col. 3 lines 60-67, col. 4 lines 1-4 and 33-41, the display allowing the user to view different color blends for selection of the display image (display showing color background and caller's name) examiner interprets as interactive display allows a user to adjust image color). McIntyre, Schaefer and Komiyama are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include an interactive display allowing a user to adjust image color. The suggestion/motivation for doing so would have been identifying an incoming call without reading numbers (note col. 1 lines 44—49). Therefore, it would have been obvious to combine McIntyre and Schaeffer with Komiyama to obtain the invention as specified in claim 18.

Regarding claim 19 McIntyre and Schaeffer discloses a cell phone with an interactive display. McIntyre and Schaeffer do not disclose expressly, display allowing a user adjust an image color. Komiyama discloses wherein said interactive display allows a user to manipulate a color border of an image (note col. 3 lines 60-67, col. 4 lines 1-4 and 33-41, the display allowing the user to view different color blends for selection of the color border (display showing user different color background over a caller's name) examiner interprets as interactive display allows a user to manipulate color border, hence color border and background of the image are the same). McIntyre, Schaefer and Komiyama are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include an interactive display allowing a user to manipulate color border. The suggestion/motivation for doing so would have been identifying an incoming call without reading numbers (note col. 1 lines 44—49). Therefore, it would have been obvious to combine McIntyre and Schaeffer with Komiyama to obtain the invention as specified in claim 18.

Regarding claim 38 McIntyre and Schaeffer discloses a cell phone with an interactive display. McIntyre and Schaeffer do not disclose expressly, display allowing a user adjust an image color. Komiyama discloses wherein said interactive display allows a user to adjust an image color (note col. 3 lines 60-67, col. 4 lines 1-4 and 33-41, the display allowing the user to view different color blends for selection of the display image (display showing color background and caller's name) examiner interprets as interactive

display allows a user to adjust image color). McIntyre, Schaefer and Komiyama are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include an interactive display allowing a user to adjust image color. The suggestion/motivation for doing so would have been identifying an incoming call without reading numbers (note col. 1 lines 44—49). Therefore, it would have been obvious to combine McIntyre and Schaeffer with Komiyama to obtain the invention as specified in claim 18.

Regarding claim 39 McIntyre and Schaeffer discloses a cell phone with an interactive display. McIntyre and Schaeffer do not disclose expressly, display allowing a user adjust an image color. Komiyama discloses wherein said interactive display allows a user to manipulate a color border of an image (note col. 3 lines 60-67, col. 4 lines 1-4 and 33-41, the display allowing the user to view different color blends for selection of the color border (display showing user different color background over a caller's name) examiner interprets as interactive display allows a user to manipulate color border, hence color border and background of the image are the same). McIntyre, Schaefer and Komiyama are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include an interactive display allowing a user to manipulate color border. The suggestion/motivation for doing so would have been identifying an incoming call without reading numbers (note col. 1 lines 44—49). Therefore, it would have been obvious to

combine McIntyre and Schaeffer with Komiyama to obtain the invention as specified in claim 18.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory M. Desire whose telephone number is (571) 272-7449. The examiner can normally be reached on M-F (6:30-3:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on (571) 272-7453. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Gregory M. Desire
Examiner
Art Unit 2625

Gregory Desire

G.D.
May 30, 2005